

In the United States District Court
For the District of Puerto Rico

The United States of America,
Plaintiff
v.
Brunilda Turbides,
Defendant.

Cr. No.: 16-0794 (PG)

Violation: 8 U.S.C. § 1326(a)

Sentencing Memorandum

Ms. Brunilda Turbides is a single mother who risked her life and freedom for the wellbeing of her four children. Her children's age range from sixteen through eight years old. Ms. Turbides raised her children by her own, since she did not receive support from her children's respective fathers. However, with her effort and sacrifice, all of her children are healthy and studying. Ms. Turbides' children mean everything to her and she would do anything for them.

Ms. Turbides was born and raised in Miches, Dominican Republic. She was raised by her grandparents since Ms. Turbides' mother abandoned her when she was just six months old. Ms. Turbides' mother moved to the United States and never came back. Ms. Turbides and her father enjoy a good relationship, even though they never lived together. Ms. Turbides lived on a modest house with her grandparents and her older sister, Milagros. Luckily, Ms. Turbides always had food on her table and never went hungry. Her grandfather was a farmer and tried his best to always provide for the family. Ms. Turbides is deeply

grateful for her grandparents and the sacrifices they made to support her. Ms. Turbides still lives in her grandparents' house with all of her children. Her grandfather passed away and her grandmother moved to the United States approximately thirteen years ago.

Since very young, Ms. Turbides single-handedly carries the burden of providing for her family. She dropped from high school in tenth grade when she got pregnant for the first time. She was fifteen years old. She dropped from high school in order to work and support her firstborn daughter, Pamela. One year later, Ms. Turbides got pregnant again with her second child, Wilson. Both children are the product of her relationship with Mr. Wilkins Gutierrez. However, he never recognized Wilson and has never supported either of them. Ms. Turbides has two other children product of two different relationships. Her third child, Juan, was not recognized by his father either. His father moved to the United States and his whereabouts are unknown. On the other hand, Ms. Turbides' younger son, José, was recognized by his father. José's father occasionally helps Ms. Turbides with the nurturing of their son.

Ms. Turbides is a hard worker. She has been working since the age of twelve and has not stopped ever since. She worked at a beauty salon and in housekeeping. Recently, she worked for approximately three years at a "banca de pelota" or a baseball betting house, where people bet for their favorite baseball teams. However, ten months ago the betting house went bankrupt and she was left without a job. She tried to obtain other jobs in housekeeping but the income

was simply not enough. Ms. Turbides earned around 3,000.00 pesos per month cleaning houses. That amount equals less than \$70.00 per month. She became desperate and worried for her family's wellbeing, as she could not provide for them.

Based on the feelings of desperation and fear, Ms. Turbides made one of the worst decisions of her life. She embarked on a life-threatening trip from the Dominican Republic to Puerto Rico to work. She wanted to find a job to send money to her children, who were left under her aunt's care. Approximately on September 2015, Ms. Turbides made it to Puerto Rico and eventually found a job in housekeeping. She earned around \$300.00 weekly, an amount she would never earn cleaning houses in her native country. As a result, she was able to send money to her children for approximately one year. However, months after her arrival in Puerto Rico, she felt that the money she sent was not been used properly by her aunt and that her children were not been raised appropriately. Therefore, she decided to voluntarily return to the Dominican Republic to reunite with her children. Ms. Turbides attempted to board a flight to Santo Domingo from the Luis Muñoz Marín International Airport in Puerto Rico, but was arrested by federal authorities. Ms. Turbides immediately claimed to be an undocumented alien from the Dominican Republic and accepted she did not have the immigration documents to be present in the United States legally.

Ms. Turbides has been detained since the day of her arrest on December 2, 2016. She is remorseful of her actions and insists she is not returning illegally to the United States. Ms. Turbides misses her children a great deal and wants

to return to her native country soon to hold her children. She recognizes that her actions, although well intentioned, hurt the most precious thing she has: her children.

Ms. Turbides is not a bad person. She has no bad habits and no prior criminal history. She was just a desperate mother who entered the United States to work and help her family. Ms. Turbides has talked to her family over the phone and her children keep asking when she is coming back. She is concerned about her family's well-being since she is the sole provider of her household. Ms. Turbides accepted responsibility and is suffering the consequences of her actions. Upon returning to his native country, Ms. Turbides intends on opening a fish market, since she lives next to the coastline.

Ms. Turbides plead guilty for knowingly and intentionally been present in the United States without obtaining, prior to her re-embarkation, from a place outside thereof, the express consent of the Secretary of Homeland Security of the United States, an offense which carries a maximum imprisonment term of two years and a term of supervised release of no less than one year. Ms. Turbides has a Criminal History Category of I, since she has no prior criminal record. The guidelines range for her sentence is from zero (0) to six (6) months of imprisonment.

Bearing in mind the factors to be considered in imposing a sentence under 18 USC § 3553, and the deportation proceedings that could take up to an additional uncertain period of time, Ms. Turbides respectfully requests the Honorable Court to impose a sentence of time served, a sentence sufficient but

not greater than necessary to serve the goals of sentencing.

Wherefore, the Defendant, Ms. Turbides, respectfully requests the Honorable Court to take note of this sentencing memorandum and sentence her to time served.

I hereby certify, that on this date I electronically filed the present motion with the Clerk of the Court using the CM/ECF system which will send electronic notification of said filing to all parties of record.

Respectfully submitted.

In San Juan, Puerto Rico, this 19th day of January, 2017.

Eric A. Vos
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